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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,129	03/26/2007	Henryk Kulakowski	64640.000004	5090
21967 7590 02/06/2009 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109				
EXAMINER				
SARWAR, BABAR				
ART UNIT		PAPER NUMBER		
2617				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/583,129

Applicant(s)

KULAKOWSKI, HENRYK

Examiner

BABAR SARWAR

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/26/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-10 is/are rejected.
- 7) ☒ Claim(s) 1,3 and 7-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claims 1, 3, 7, 9** are objected to because of the following informalities:

Claims 1, 3, 7, and 9 recite a term “**USSD**”. The examiner suggests spelling this term out.

Appropriate correction is required.

Claims 8 and 10 are objected to because of the following informalities:

Claims 8 and 10 recite a term “**SMS**”. The examiner suggests spelling this term out.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolsky et al. (US 2003/0144016 A1), hereinafter referenced as Kolsky.

Consider **claim 1**, Kolsky teaches a method of effecting a telecommunication connection to a service in a telecommunication network (**Abstract, Figs. 1, 2a-b, and 5A-D**). Kolsky further discloses establishing a telecommunication connection from a user's phone terminal to an access number of a telecommunication service server in either a voice interface or a text interface (**Abstract, Para 0003, 0005, Figs. 1, 2a-b,**

5A-D), wherein the access number comprises a beginning character of either "*" or "#", followed by a sequence of digits, and an optional ending character of "#", wherein the presence of the optional ending character determines that the connection will be effected by means of the text interface using USSD commands and the lack of the optional ending character determines that the connection will be effected in the voice interface, and wherein the access number is always the same number for the voice interface and the text interface (**Abstract, Para 0003-0005, 00013, 0019-0022, 0035-0040, 0050-0078, Claims 13-20, Figs. 3-5A-D**).

Consider **claim 2**, Kolsky teaches everything claimed as implemented above (see claim 1). In addition, Kolsky discloses that the access number further comprises additional parameters, separated with the characters of asterisk "*" or hash mark "#", wherein the additional parameters are inputted by the user during the connection (**Abstract, Para 0021, 0039, 0061-0077, Figs. 3-5A-D**).

Consider **claim 3**, Kolsky teaches everything claimed as implemented above (see claim 1). In addition, Kolsky discloses that the text interface is realized within any other than the USSD commands (**Para 0021, 0040, and 0058**).

Consider **claim 4**, Kolsky teaches everything claimed as implemented above (see claim 1). In addition, Kolsky discloses that the telecommunication connection to a service in a telecommunication network comprises a connection to another user (**Para 0050, Fig. 3, where Kolsky discloses a PSTN network i.e. connection to another user**).

Consider **claim 5**, Kolsky teaches everything claimed as implemented above (see claim 1). In addition, Kolsky discloses that the telecommunication connection comprises a set of a sequence of voice or text messages exchanged between the user and the service, without the need to establish a session or a physical connection (**Para 0050-0077, where Kolsky discloses USSD (Unstructured supplementary services data) commands**).

Claim 6 has been cancelled as per preliminary amendment.

Claim 7 as analyzed with respect to limitations discussed in claim 3.

Consider **claim 8**, Kolsky teaches everything claimed as implemented above (see claim 7). In addition, Kolsky discloses that the text interface is realized within a short text message interface of an SMS service (**Abstract, Para 0020, 0021, 0040, and 0076, and Figs. 4, 5A-D**).

Consider **claim 9**, Kolsky teaches everything claimed as implemented above (see claim 1). In addition, Kolsky discloses that the text interface is realized within any text channel other than the USSD commands (**Abstract, Para 0020, 0021, 0040, 0076, and Figs. 4, 5A-D**).

Consider **claim 10**, Kolsky teaches everything claimed as implemented above (see claim 9). In addition, Kolsky discloses that the text interface is realized within a short text message channel of an SMS service (**Abstract, Para 0020, 0021, 0040, 0076, and Fig. 4, and Figs. 4, 5A-D**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:30 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BS/

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Examiner, Art Unit 2617

/NICK CORSARO/

Application/Control Number: 10/583,129

Page 6

Art Unit: 2617

Supervisory Patent Examiner, Art Unit 2617